

First Action Interview Pilot Program Pre-Interview Communication	Application No. 10/547,339	Applicant(s) ZENG ET AL.	
	Examiner Ben Lewis	Art Unit 1795	Page 1 of

-The MAILING OR NOTIFICATION DATE of this communication appears on the cover sheet with the correspondence address -

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **ONE MONTH OR THIRTY (30) DAYS**, WHICHEVER IS LONGER, FROM THE MAILING OR NOTIFICATION DATE OF THIS COMMUNICATION.

This time period for reply is extendable under 37 CFR 1.136(a) for only ONE additional MONTH.

This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

Applicant must, within the time period for reply, file: (1) A letter requesting not to have a first action interview; (2) A reply under 37 CFR 1.111 waiving the first action interview and First Action Interview Office Action; or (3) An Applicant Initiated Interview Request Form (PTOL-413A) electronically via EFS-Web, accompanied by a proposed amendment or arguments, and schedule the interview within 2 months from the filing of the request. A failure to respond to this communication will be treated as a request not to have an interview. If applicant waives the First Action Interview Office Action, the instant Pre-Interview Communication is deemed the first Office Action on the Merits. The next subsequent Office action may be made final if appropriate. See MPEP 706.07(a).

Disposition of Claims

- 3) ☒ Claim(s) 1-8, 10-13, 15, 17-22 and 24 is/are pending in the application.
 3a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 4) ☐ Claim(s) _____ is/are allowed.
- 5) ☒ Claim(s) 1-8, 10-13, 15, 17-22 and 24 is/are rejected.
- 6) ☐ Claim(s) _____ is/are objected to.
- 7) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 8) ☐ The specification is objected to by the Examiner.
- 9) ☒ The drawing(s) filed on 1 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 11) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

Contact Information

Examiner's Telephone Number: 571-272-6481
 Examiner's Typical Work Schedule: 8:30am - 5:30pm
 Supervisor's Name: Patrick Ryan
 Supervisor's Telephone Number: 571-272-1292

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/10/08, 7/12/07, 2/20/07, 2/29/05</u> | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____ |
|--|--|

First Action Interview Pilot Program Pre-Interview Communication		Application No. 10547339	Applicant(s) ZENG ET AL.
		Examiner Ben Lewis	Art Unit 1795
			Page 2 of

Notification of Rejection(s) and/or Objection(s)

#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection
1	6		112, 2nd	Claim 6 recites the limitation of "wherein the humidifying elemen." There is insufficient antecedent basis for this limitation in the claim
2	1, 4, 5, 7, 8, 11, 17, 18, 20	N	102 (a)	Reference N discloses an MEA (21), oxidant and fuel distributing plates (25 and 25), opposite passages , communication passage (34), reaction passages are also disclosed in figs. 4 and 5. Porous portion that communicates reaction passage to opposite passage
3	2,3, 6	N	102 (a)	Reference N discloses humidifying element 25
4	10, 12,13,15,19 ,21, 22 and 24	N, A	103 (a)	N does not disclose wherein the pore diameter or pore rate is relatively smaller or larger in the downstream area. A teaches this feature in Paragraph 0058. since a difference in pore diameter between upstream and downstream side of the plate would result in

Expanded Discussion/Commentary

2		disclosed in fig. 5. Also it is inherent that the oxidant plate of reference N has a hydrophilic property since water is communicated through the opposite passage plate as shown in fig. 5.
4		better water permeability (Paragraph 0058).

DATE: 3/13/2010	/Ben Lewis/ Examiner, Art Unit 1795	/PATRICK RYAN/ Supervisory Patent Examiner, Art Unit 1795
---------------------------	--	--